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EV 375067874 US

PATENT
Attorney Docket No. MDS-020 (6219/6)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Costa et al.
SERIAL NO.: 09/738,612 GROUP NO.: 2863
FILING DATE: December 15, 2000 EXAMINER: Michael P. Nghiem
TITLE: System for Normalizing Spectra

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents and publications are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☐ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☒ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☒ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or
- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**

- ☐ the requisite Statement is below, AND
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely \$180.00 is included herein.

In addition, Applicants wish to call to the Examiner's attention Office Actions issued in the following commonly-owned, co-pending patent applications:

- 1) U.S. Serial No. 09/841,325, Attorney Docket No. MDS-009CN, filed on 4/24/01, by Modell et al.;
- 2) U.S. Serial No. 09/591,706, Attorney Docket No. MDS-012, filed on 6/9/00, by Nordstrom et al.;
- 3) U.S. Serial No. 09/738,614, Attorney Docket No. MDS-013A, filed on 12/15/00, by Kaufman et al.;
- 4) U.S. Serial No. 10/068,133, Attorney Docket No. MDS-013AC2, filed on 2/5/02, by Kaufman et al.;
- 5) U.S. Serial No. 09/738,147, Attorney Docket No. MDS-013B, filed on 12/15/00, by Kaufman et al.;
- 6) U.S. Serial No. 10/411,777, Attorney Docket No. MDS-013BC1, filed on 4/11/03, by Kaufman et al.;
- 7) U.S. Serial No. 10/178,772, Attorney Docket No. MDS-014CN, filed on 6/24/02, by Modell et al.;
- 8) U.S. Serial No. 10/122,429, Attorney Docket No. MDS-015CN, filed on 4/12/02, by Nordstrom et al.;
- 9) U.S. Serial No. 09/481,762, Attorney Docket No. MDS-016, filed on 1/11/00, by Modell et al.;
- 10) U.S. Serial No. 10/071,932, Attorney Docket No. MDS-022C1, filed on 2/8/02, by Nordstrom et al.;
- 11) U.S. Serial No. 10/192,820, Attorney Docket No. MDS-028, filed on 7/10/02, by Schomacker et al.;
- 12) U.S. Serial No. 10/099,881, Attorney Docket No. MDS-030, filed on 3/15/02, by Kaufman et al.;
- 13) U.S. Serial No. 10/273,511, Attorney Docket No. MDS-031, filed on 10/18/02, by Clune et al.;
- 14) U.S. Serial No. 10/192,836, Attorney Docket No. MDS-032, filed on 7/10/02, by Zelenchuk;
- 15) U.S. Serial No. 10/243,535, Attorney Docket No. MDS-033, filed on 9/13/02, by Schomacker et al.;
- 16) U.S. Serial No. 10/295,794, Attorney Docket No. MDS-034, filed on 11/15/02, by Schomacker et al.;
- 17) U.S. Serial No. 10/418,922, Attorney Docket No. MDS-035, filed on 4/18/03, by Flewelling et al.;
- 18) U.S. Serial No. 10/418,902, Attorney Docket No. MDS-035A, filed on 4/18/03, by Jiang et al.;
- 19) U.S. Serial No. 10/418,974, Attorney Docket No. MDS-035B, filed on 4/18/03, by Jiang;
- 20) U.S. Serial No. 10/418,668, Attorney Docket No. MDS-035D, filed on 4/18/03, by Costa et al.;
- 21) U.S. Serial No. 10/418,975, Attorney Docket No. MDS-035E, filed on 4/18/03, by Jiang et al.;
- 22) U.S. Serial No. 10/418,415, Attorney Docket No. MDS-035F, filed on 4/18/03, by Schomacker et al.;
- 23) U.S. Serial No. 10/419,181, Attorney Docket No. MDS-035G, filed on 4/18/03, by Jiang et al.; and
- 24) U.S. Serial No. 10/418,973, Attorney Docket No. MDS-035H, filed on 4/18/03, by Schomacker et al.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

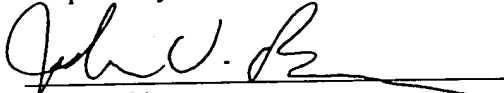
- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Date: July 16, 2003
Reg. No. 36,748

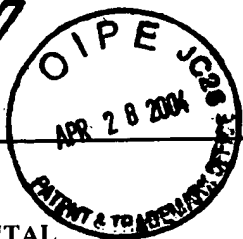
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SHEET 1 OF 9

FORM PTO - 1449	ATTORNEY DOCKET NO.: MDS-020
FIRST SUPPLEMENTAL	APPLICANT(S): Costa et al.
INFORMATION DISCLOSURE STATEMENT	SERIAL NO.: 09/738,612
	FILING DATE: December 15, 2000 GROUP: 2863

U.S. PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A133	2002/0007123 A1	1/17/02	Balas et al	600	476	12/15/00
	A134	3,632,865	1/4/72	Haskell et al.	178	6	12/23/69
	A135	3,890,462	06/17/75	Limb et al	178	6.8	04/17/74
	A136	3,963,019	06/15/75	Quandt et al	128	2	11/25/74
	A137	4,071,020	01/31/78	Puglise et al	128	2	06/3/76
	A138	4,218,703	8/19/80	Netravali et al	358	136	03/16/79
	A139	4,273,110	06/16/81	Groux	128	6	07/11/79
	A140	4,549,229	10/22/85	Nakano et al	360	8	1/31/83
	A141	4,800,571	01/24/89	Konishi	375	10	01/11/88
	A142	5,048,946	09/17/91	Sklar et al	351	206	05/15/90
	A143	5,203,328	4/20/93	Samuels et al	128	633	07/17/91
	A144	5,253,071	10/12/93	MacKay	358	222	12/20/91
	A145	5,289,274	2/22/94	Kondo	348	208	1/31/92
	A146	5,345,941	09/13/94	Rava et al	128	665	3/1/93
	A147	5,349,961	09/27/94	Stoddart et al	128	665	09/27/94
	A148	5,419,323	5/30/95	Kittrell et al	128	653	11/17/89
	A149	5,424,543	06/13/95	Dombrowski et al	250	330	04/19/93
	A150	5,450,857	09/19/95	Garfield et al.	128	778	05/19/94
	A151	5,467,767	11/21/95	Alfano et al	128	665	08/27/93
	A152	5,519,545	5/21/96	Kawahara	360	46	11/29/94
	A153	5,562,100	10/8/96	Kittrell et al	128	665	05/25/94
	A154	5,579,773	12/3/96	Vo-Dinh et al	128	665	09/30/94
	A155	5,582,168	12/10/96	Samuels et al	128	633	01/22/93
	A156	5,599,717	2/4/97	Vo-Dinh	436	63	9/2/94
	A157	5,612,540	3/18/97	Richards-Korum et al	250	461.2	3/31/95
	A158	5,647,368	7/15/97	Zeng et al	128	665	02/28/96
	A159	5,697,373	12/16/97	Richards-Kortum et al	128	664	03/14/95

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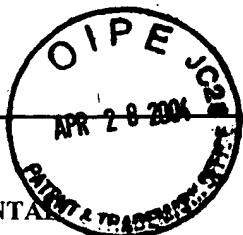
DATE CONSIDERED



FORM PTO - 1449 FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT				ATTORNEY DOCKET NO.: MDS-020 APPLICANT(S): Costa et al. SERIAL NO.: 09/738,612 FILING DATE: December 15, 2000 GROUP: 2863			
U.S. PATENT DOCUMENTS							
EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A160	5,699,795	12/23/97	Richards-Kortum	128	634	12/23/97
	A161	5,717,209	2/10/98	Bigman et al	250	339.12	4/29/96
	A162	5,735,276	04/7/98	Lemelson et al	128	653	03/21/95
	A163	5,773,835	6/30/98	Sinofsky et al	250	462.1	06/7/96
	A164	5,791,346	08/11/98	Craine et al.	128	653	8/22/96
	A165	5,840,035	11/24/98	Heusmann et al.	600	47	2/1/96
	A166	5,842,995	12/1/98	Mahadevan-Jansen et al	600	473	6/28/96
	A167	5,920,399	7/6/99	Sandison et al.	356	418	3/18/97
	A168	5,921,926	07/13/99	Rolland et al.	600	407	12/31/97
	A169	5,929,985	07/27/99	Sandison et al	365	318	3/18/97
	A170	5,931,779	08/03/99	Arakaki et al.	600	310	6/6/97
	A171	5,938,617	08/17/99	Vo-Dinh	600	476	12/3/96
	A172	5,989,184	11/23/99	Blair et al	600	167	12/5/97
	A173	5,991,653	11/23/99	Richards-Kortum et al	660	475	6/19/96
	A174	6,069,689	05/30/00	Zeng et al	356	773	4/14/98
	A175	6,091,985	7/18/00	Alfano et al.	600	476	1/23/98
	A176	6,095,982	8/1/00	Richards-Kortum et al	600	476	12/11/97
	A177	6,208,887 B1	03/27/01	Clarke et al	600	476	6/24/99
	A178	6,241,662 B1	06/5/01	Richards-Kortum et al	600	310	10/20/98
	A179	6,246,479 B1	06/12/01	Jung et al	356	419	12/23/99
	A180	6,285,639 B1	9/4/01	Maenza et al	369	47.28	4/29/98
	A181	6,377,842 B1	4/23/02	Pogue et al	600	478	8/23/99
	A182	6,385,484 B2	5/7/02	Nordstrom et al.	600	476	12/15/00
	A183	6,411,835 B1	6/25/02	Modell et al.	600	407	2/2/99
	A184	6,411,838 B1	6/25/02	Nordstrom et al.	600	476	12/22/99
	A185	6,421,553 B1	7/16/02	Costa et al.	600	476	12/15/00
	A186	6,427,082 B1	7/30/02	Nordstrom et al.	600	476	12/23/99

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DATE CONSIDERED



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U.S. PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A187	5,690,106	11/25/97	Bani-Hashemi et al.	128	653.1	6/30/95
	A188	5,995,645	11/30/99	Soenksen et al.	382	133	12/4/97
	A189	6,058,322	5/2/00	Nishikawa et al.	600	408	7/25/97
	A190	6,246,471 B1	6/12/01	Jung et al.	356	73	1/10/00
	A191	6,312,385 B1	11/6/01	Mo et al.	600	443	5/1/00
	A192	6,317,617 B1	11/13/01	Gilhuijs et al.	600	408	7/25/97

FOREIGN PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B14	0 444 689 A2	9/4/91	EP					
	B15	0 737 849 A2	10/16/96	EP					
	B16	WO 92/19148	11/12/92	PCT			4/29/92		
	B17	WO 97/48331	12/24/97	PCT			6/19/97		
	B18	WO 98/05253	02/12/98	PCT			08/2/96		
	B19	WO 98/24369	06/11/98	PCT			11/20/97		
	B20	WO 99/18847	4/22/99	PCT			12/14/98		
	B21	WO 99/20313	4/29/99	PCT			10/20/98		
	B22	WO 99/20314	4/29/99	PCT			10/20/98		
	B23	WO 99/47041	09/23/99	PCT			03/19/99		
	B24	WO 99/57507	11/11/99	PCT			4/30/99		
	B25	WO 99/57529	11/11/99	PCT			5/4/99		
	B26	WO 00/15101	3/23/00	PCT			9/10/99		
	B27	WO 95/00067	1/5/95	PCT			6/7/94		
	B28	08-280602	10/29/96	JP			4/14/95		

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OTHER ART, JOURNAL ARTICLES, ETC.

EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)	
	C15	Agrawal et al. (1999), "Fluorescence Spectroscopy of the Cervix: Influence of Acetic Acid, Cervical Mucus, and Vaginal Medications," <u>Lasers in Surgery and Medicine</u> , 25:237-249.
	C16	Althof et al. (1997), "A rapid and automatic image registration algorithm with subpixel accuracy," <u>IEEE Transactions on Medical Imaging</u> , 16(3):308-316.
	C17	Aström et al. (1999), "Motion estimation in image sequences using the deformation of apparent contours," <u>IEEE Transactions on Pattern Analysis and Machine Intelligence</u> , 21(2):114-127.
	C18	Balakrishnama et al, "Linear Discriminant Analysis - A Brief Tutorial," <u>Institute for Signal and Information Processing Department of Electrical and Computer Engineering</u> , 8 pages.
	C19	Balas (1997), "An Imaging Colorimeter for Noncontact Tissue Color Mapping," <u>IEEE Transactions on Biomedical Engineering</u> , 44(6):468-474.
	C20	Balas (2001), "A Novel Optical Imaging Method for the Early Detection, Quantitative Grading, and Mapping of Cancerous and Precancerous Lesions of Cervix," <u>IEEE Transactions on Biomedical Engineering</u> , 48(1):96-104.
	C21	Balas et al. (1997), "A modular diffuse reflection and fluorescence emission imaging colorimeter for the in-vivo study of parameters related with the phototoxic effect in PDT," <u>SPIE</u> , 3191:50-57.
	C22	Balas et al. (1998), "In Vivo Assessment of Acetic Acid-Cervical Tissue Interaction Using Quantitative Imaging of Back-Scattered Light: Its Potential Use for the In Vivo Cervical Cancer Detection Grading and Mapping," Part of EUROPTO Conference on Optical Biopsy, Stockholm, Sweden, <u>SPIE</u> , Vol. 3568:31-37.
	C23	Balas et al. (1999), "In Vivo Detection and Staging of Epithelial Dysplasias and Malignancies Based on the Quantitative Assessment of Acetic Acid-Tissue Interaction Kinetics," <u>Journal of Photochemistry and Photobiology B: Biology</u> , 53:153-157.
	C24	Bessey et al. (1949), "The Fluorometric measurement of the nucleotides of riboflavin and their concentration in tissues," <u>J. Biol.-Chem.</u> , 180:755-769.
	C25	Bors et al. (1998), "Optical flow estimation and moving object segmentation based on median radial basis function network," <u>IEEE Transactions on Image Processing</u> , 7(5):693-702.
	C26	Bouthemy et al. (1999), "A unified approach to shot change detection and camera motion characterization," <u>IEEE Transactions on Circuits and Systems for Video Technology</u> , 9(7):1030-1044.
	C27	Braichotte et al. (1995), "Clinical Pharmacokinetic Studies of Photofrin by Fluorescence Spectroscopy in the Oral Cavity, the Esophagus, and the Bronchi," <u>Cancer</u> 75(11):2760-2778.
	C28	Brown (1990), "Chemometrics," <u>Anal. Chem.</u> , 62:84R-101R.
	C29	Camus et al. (1997), "Real-time quantized optical flow," <u>Real-Time Imaging</u> , 3:71-86.
	C30	Caplier et al. (1998), "Real-time implementation of a MRF-based motion detection algorithm," <u>Real-Time Imaging</u> , 4:41-54.

EXAMINER

DATE CONSIDERED



FORM PTO - 1449

FIRST SUPPLEMENTAL

INFORMATION DISCLOSURE STATEMENT

ATTORNEY DOCKET NO.: MDS-020

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OTHER ART, JOURNAL ARTICLES, ETC.

EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)	
	C31	Contini et al. (1989), "Colposcopy and Computer Graphics: a New Method?" <u>Amer. J. Obstet. Gynecol.</u> , 160(3):535-538.
	C32	Craine et al. (1993), "Digital Imaging Colposcopy: basic concepts and applications," <u>Amer. J. Obstet. Gynecol.</u> , 82(5):869-873.
	C33	Craine et al. (1998), "Digital imaging colposcopy: Corrected area measurements using shape-from-shading," <u>IEEE Transactions on Medical Imaging</u> , 17(6):1003-1010.
	C34	Crisp et al. (1990), "The Computerized Digital Imaging Colposcope: Future Directions," <u>Amer. J. Obstet. Gynecol.</u> , 162(6):1491-1497.
	C35	Cronjé et al. (1997), "Effects of Dilute Acetic Acid on the Cervical Smear," <u>Acta. Cytol.</u> , 41:1091-1094.
	C36	Dickman et al. (2001), "Identification of Cervical Neoplasia Using a Simulation of Human Vision," <u>Journal of Lower Genital Tract Disease</u> , 5(3):144-152.
	C37	Drezek et al. (1999), "Light scattering from cells: finite-difference time-domain simulations and goniometric measurements," <u>Applied Optics</u> 38(16):3651-3661.
	C38	Drezek et al. (2000), "Laser Scanning Confocal Microscopy of Cervical Tissue Before and After Application of Acetic Acid," <u>Am. J. Obstet. Gynecol.</u> , 182(5):1135-1139.
	C39	Dumontier et al. (1999), "Real-time DSP implementation for MRF-based video motion detection," <u>IEEE Transactions on Image Processing</u> , 8(10):1341-1347.
	C40	Earnshaw et al. (1996), "The Performance of Camera Translation Direction Estimators from Optical Flow: Analysis, Comparison, and Theoretical Limits," <u>IEEE Transactions on Pattern Analysis and Machine Intelligence</u> , 18(9):927-932.
	C41	Edebiri, A.A. (1990), "The relative significance of colposcopic descriptive appearances in the diagnosis of cervical intraepithelial neoplasia," <u>Int. J. Gynecol. Obstet.</u> , 33:23-29.
	C42	Eisner et al. (1987), "Use of Cross-Correlation Function to Detect Patient Motion During Spectral Imaging," <u>Journal of Nuclear Medicine</u> , 28(1):97-101.
	C43	Ferris et al. (1998), "Colposcopy Quality Control: Establishing Colposcopy Criterion Standards for the NCI ALTS Trial Using Cervigrams," <u>J. Lower Genital Tract Disease</u> , 2(4):195-203.
	C44	Fleet et al. (1995), "Recursive Filters for Optical Flow," <u>IEEE Transactions on Pattern Analysis and Machine Intelligence</u> , 17(1):61-67.
	C45	Gao et al. (1998), "A work minimization approach to image morphing," <u>The Visual Computer</u> , 14:390-400.
	C46	Gauch (1999), "Image Segmentation and Analysis Via Multiscale Gradient Watershed Hierarchies," <u>IEEE Transactions on Image Processing</u> , 8(1):69-79.
	C47	Haralick (1984), "Digital Step Edges from Zero Crossing of Second Directional Derivatives," <u>IEEE Transactions on Pattern Analysis and Machine Intelligence</u> , 6(1):58-68.

EXAMINER

DATE CONSIDERED



FORM PTO - 1449

FIRST SUPPLEMENTAL

INFORMATION DISCLOSURE STATEMENT

ATTORNEY DOCKET NO.: MDS-020

APPLICANT(S): Costa et al.

SERIAL NO.: 09/738,612

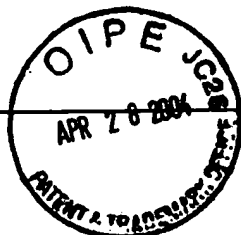
FILING DATE: December 15, 2000 GROUP: 2863

OTHER ART, JOURNAL ARTICLES, ETC.

EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)	
	C48	Haris et al. (1998), "Hybrid Image Segmentation Using Watersheds and Fast Region Merging," <u>IEEE Transactions on Image Processing</u> , 7(12):1684-1699.
	C49	Helmerhorst et al. (1987), "The accuracy of colposcopically directed biopsy in diagnosis of CIN 2/3." <u>Eur. J. Obstet. Gyn. Reprod. Biol.</u> , 24, 221-229.
	C50	Horn et al. (1981), "Determining Optical Flow," <u>Artificial Intelligence</u> , 17(1-3):185-203.
	C51	Horn et al. (1993), "Determining Optical Flow": a retrospective, <u>Artificial Intelligence</u> , 59:81-87.
	C52	Huang et al. (1979), "A fast two-dimensional median filtering algorithm," <u>IEEE Transactions on Acoustics, Speech, and Signal Processing</u> , 27(1):13-18.
	C53	Jackway (1996), "Gradient Watersheds in Morphological Scale-Space," <u>IEEE Transactions on Image Processing</u> , 5(6):913-921.
	C54	Ji et al. (2000), "Texture Analysis for Classification of Cervix Lesions," <u>IEEE Transactions on Medical Imaging</u> , 19(11):1144-1149.
	C55	Kierkegaard et al. (1995), "Association between Colposcopic Findings and Histology in Cervical Lesions: The Significance of the Size of the Lesion" <u>Gynecologic Oncology</u> , 57:66-71.
	C56	Kumar et al. (1996), "Optical Flow: A Curve Evolution Approach," <u>IEEE Transactions on Image Processing</u> , 5(4):598-610.
	C57	Linde et al. (1980), "An algorithm for vector quantizer design," <u>IEEE Transactions on Communications</u> , 28(1):84-95.
	C58	MacAulay et al. (2002), "Variation of fluorescence spectroscopy during the menstrual cycle," <u>Optics Express</u> , 10(12):493-504.
	C59	MacLean A.B. (1999), "What is Acetowhite Epithelium," <u>Abstract Book; 10th World Congress of Cervical Pathology and Colposcopy</u> , November 7-11, Buenos Aires, Argentina 41.
	C60	Marzetta et al. (1999), "A surprising radon transform result and its application to motion detection," <u>IEEE Transactions on Image Processing</u> , 8(8):1039-1049.
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FORM PTO - 1449

FIRST SUPPLEMENTAL

INFORMATION DISCLOSURE STATEMENT

ATTORNEY DOCKET NO.: MDS-020

APPLICANT(S): Costa et al.

SERIAL NO.: 09/738,612

FILING DATE: December 15, 2000 GROUP: 2863

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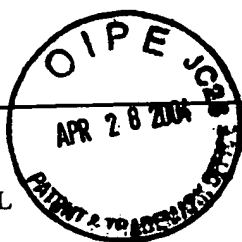


FORM PTO - 1449 FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT		ATTORNEY DOCKET NO.: MDS-020 APPLICANT(S): Costa et al. SERIAL NO.: 09/738,612 FILING DATE: December 15, 2000 GROUP: 2863
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FORM PTO - 1449

FIRST SUPPLEMENTAL

INFORMATION DISCLOSURE STATEMENT



ATTORNEY DOCKET NO.: MDS-020

APPLICANT(S): Costa et al.

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